

OCT 06 2011

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

In re: MELODY L. LARK,

Debtor.

No. 10-60020

BAP No. 09-1239

MELODY L. LARK,

Appellant,

MEMORANDUM\*

v.

BOARD OF TRUSTEES OF THE  
CALIFORNIA STATE UNIVERSITY  
OFFICE OF THE GENERAL  
COUNSEL,

Appellee.

Appeal from the Ninth Circuit  
Bankruptcy Appellate Panel  
Montali, Pappas, and Markell, Bankruptcy Judges, Presiding

Submitted September 27, 2011\*\*

Before: SILVERMAN, W. FLETCHER, and MURGUIA, Circuit Judges.

\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Melody L. Lark appeals pro se from the decision of the Bankruptcy Appellate Panel affirming the bankruptcy court's determination of the non-dischargeability of Lark's student loans under 11 U.S.C. § 523(a)(8). We have jurisdiction under 28 U.S.C. § 158(d). We review de novo, *Rifino v. United States (In re Rifino)*, 245 F.3d 1083, 1087 (9th Cir. 2001), and we dismiss.

We cannot review Lark's challenge to the bankruptcy court's oral determination of the non-dischargeability of her student loans because Lark failed to include the relevant transcripts in the record on appeal as required by Fed. R. App. P. 10(b)(2). *See Syncom Capital Corp. v. Wade*, 924 F.2d 167, 169-70 (9th Cir. 1991) (per curiam) (dismissing appeal for appellant's failure to provide a transcript).

**DISMISSED.**